

### **REMARKS/ARGUMENTS**

The office action of February 11, 2005, has been carefully reviewed and these remarks are responsive thereto. Claims 4, 8, and 16 have been amended, claims 1-3, 11, 13-15, 18, and 20-22 have been canceled, and new claims 23-30 have been added. Claims 4-10, 12, 16, 17, 19, and 23-30 thus remain pending in this application. Reconsideration and allowance of the instant application are respectfully requested.

#### ***Allowable Subject Matter***

The Office Action indicates that claims 11 and 18 would be allowable if rewritten in independent form. Applicant has instead amended independent claims 8 and 16 to incorporate the features of claims 11 and 18, respectively, and canceled claims 11 and 18.

#### ***Rejections Under 35 U.S.C. § 102***

Claims 1-10, 12-17, and 19-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Jabbari *et al.* (U.S. Publ. Appl. No. 2002/0105922, hereinafter Jabbari). Applicants respectfully traverse this rejection for at least the following reasons.

Claims 1-3, 13-15, and 20-22 have been canceled, rendering the rejection moot with respect to these claims. Independent claim 8 has been amended to incorporate the allowable features of now canceled claim 11. Independent claim 16 has been amended to incorporate the allowable features of now canceled claim 18. Applicant has further amended independent claim 4 to incorporate similar allowable features. Claims dependent back to claims 4, 8, or 16 are allowable for at least the same reasons as their respective base claims.

#### ***New Claims***

New claims 23-26 are dependent back to claim 16, and are thus allowable for at least the same reasons as claim 16.

New claims 27-30 are directed to a computer readable medium storing executable instructions for performing a method having similar features as claim 8, including the allowed

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feature "assigning each label switching path at least one attribute in order to provide differentiated QoS to multiple classes of traffic."

The claims are supported by the specification as filed. No new matter has been added.

### **CONCLUSION**

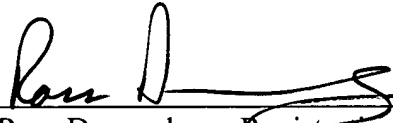
All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated this 10 day of May, 2005

By:

  
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